

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Eddie L. Acree,)	
)	CASE NO. 4:11 CV 2274
Plaintiff,)	
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
AVI Foodsystems, Inc.,)	
)	
)	
Defendant.)	
)	

This case was referred to Magistrate Judge Burke for general pre-trial supervision. As a consequence of Magistrate Burke's pre-trial supervision, a settlement was reached by the parties. ECF 13. In accordance with Magistrate Judge Burke's order, the parties have filed a stipulated notice of dismissal. ECF 14. Magistrate Judge Burke has reviewed the stipulated dismissal and recommended that the stipulated dismissal entry be approved. ECF 14.

Magistrate Judge Burke's Report and Recommendation was filed on April 30, 2012.

Under the relevant statute:

[T] magistrate judge shall file [her] proposed findings and recommendations under subparagraph (B) with the court and a copy shall forthwith be mailed to all parties.

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C).

(4:11 CV 2274)

No objections have been filed to the Report and Recommendation. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a *de novo* determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Accordingly, the Court adopts the Magistrate Judge's Report and Recommendation. The Court will separately publish an order entering the parties' stipulated notice of dismissal.

IT IS SO ORDERED.

May 15, 2012
Date

s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge